

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

WARNER BROS. RECORDS, INC., a )  
Delaware corporation; VIRGIN RECORDS )  
AMERICA, INC., a California corporation; )  
CAPITOL RECORDS, LLC, a Delaware )  
Limited Liability Company; UMG )  
RECORDINGS, INC., a Delaware )  
Corporation; and SONY BMG MUSIC )  
ENTERTAINMENT, a Delaware general )  
partnership, )

Plaintiffs, )

vs. )

Jeremy Walker )

Defendant. )

Civil Action No.: 1:07:cv-00287-SJM

**ANSWER PRESENTING DEFENSES UNDER RULE 12(B)**

AND NOW comes the Defendant, Jeremy Walker, by and through his attorney, Michael E. Hughes, files the following ANSWER PRESENTING DEFENSES UNDER RULE 12(b):

1. Admitted.
2. Admitted.
3. Defendant denies that he committed any acts of infringement within this or any other District. The remaining allegations of this paragraph are admitted.
4. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.
5. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

6. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

7. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

8. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

9. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

10. Paragraph 10 is an incorporation paragraph, no response is required.

11. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

12. The allegation of this paragraph constitutes a conclusion of law to which no response is required.

13. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

14. Defendant lacks knowledge or information sufficient to form a belief about the truth of this allegation.

15. The allegations of this paragraph are denied, strict proof of same is demanded at trial.

16. The allegations of this paragraph are denied, strict proof of same is demanded at trial.

17. To the extent that this paragraph alleges published copies of the sound recordings identified in Exhibit A were accessible to the defendant, the allegation is

denied and strict proof of same is demanded at trial; Defendant lacks knowledge or information sufficient to form a belief about the truth of this remainder of this allegation.

18. The allegations of this paragraph are denied, strict proof of same is demanded at trial.

19. This allegation constitutes a conclusion of law to which no responsive pleading is required; to the extent the court deems any response necessary, the allegations of this paragraph are denied.

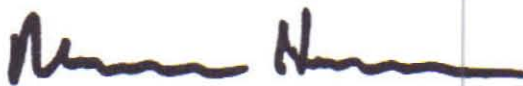
20. To the extent this paragraph alleges Defendant's conduct is causing Plaintiff harm, the allegation is denied and strict proof of same is demanded a trial; the remaining portion of this allegation constitutes a conclusion of law to which no responsive pleading is required, to the extent the court deems any response necessary, the remaining allegations of this paragraph are denied.

**FAILURE TO STATE A CLAIM**

21. The Complaint fails to state a claim upon which relief can be granted.

WHEREFORE, Defendant respectfully requests that this honorable court dismiss the Amended Complaint with prejudice.

Respectfully submitted,



Dated: 7/7/08

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Michael E. Hughes,  
Attorney for Defendant, Jeremy Walker  
THE LAW OFFICE OF MICHAEL E. HUGHES, LLC  
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**CERTIFICATE OF SERVICE**

I hereby certify that on this 7<sup>th</sup> day of July, 2008, a true and correct copy of the within **ANSWER PRESENTING DEFENSES UNDER RULE 12(B)** was served by electronic filing and/or first class mail, postage prepaid, to and upon the following:

Geoffrey L. Beauchamp, Esq.  
Geoffrey L. Beauchamp, P.C.  
1015 York Road  
Willow Grove, PA 19090



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Michael E. Hughes,  
Attorney for Defendant, Jeremy Walker  
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